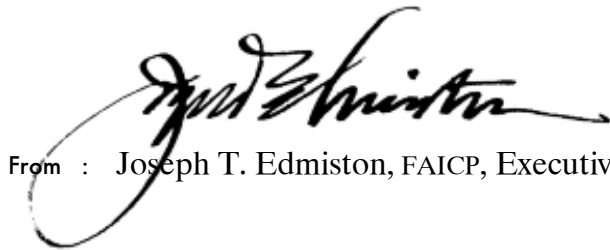


# Memorandum

To : The Conservancy  
The Advisory Committee

Date: December 6, 2004



From : Joseph T. Edmiston, FAICP, Executive Director

Subject: **Agenda Item 18 : Consideration of resolution confirming acceptance of an open space dedication, La Viña project, Altadena, unincorporated Los Angeles County.**

Staff Recommendation: That the Conservancy confirm acceptance of an open space and trail dedication from the completed La Viña development in Altadena.

Legislative Authority: Section 33207 (a) of the Public Resources Code which provides that:

Areas offered for open-space dedication or trail easement by any person, and lands offered for sale because of tax delinquency, shall not be lost to public use if they are necessary to meet any of the provisions of this division. The conservancy shall serve as a repository for these lands and interest in land and for this purpose may accept dedication of fee title, easements, development rights, or other interests.

Background: In the late 1980's, developers Cantwell-Anderson and Southwest Diversified sought and obtained approvals from the County of Los Angeles for a specific plan, tract map, and conditional use permit for their housing development adjacent to Millard Canyon in Altadena. The Final Supplemental EIR and the county's conditions required a land dedication to the Santa Monica Mountains Conservancy and the establishment of public riding and hiking trails. The total open space to be set aside was to be approximately 100 acres, possibly in a combination of conservation easement and fee title, and the trail was to be constructed and dedicated. The United States Forest Service was also discussed at the time as another potential recipient of a portion of open space acreage which adjoined Forest land, in addition to County Parks for an equestrian park.

At that time, the Altadena area was outside the Rim of the Valley Trail Corridor. The La Viña project open space was nominated by the owners for inclusion in the expanded Corridor. In fact, the Millard Canyon area was specifically recommended for trail needs in the area; and a La Viña project representative testified similarly at the February 8, 1990 hearing in La Cañada Flintridge. The area was included in the trail corridor expansion map filed with the Secretary of State on July 1, 1990.

A lawsuit delayed the development for a number of years and the project's ownership changed hands several times. The nonprofit Altadena Foothills Conservancy formed and also diligently pursued the fulfillment of the developer's promises and the County requirements. Developer Brookfield Homes indicated to staff in approximately 2002 that it would be submitting final legal descriptions to the Conservancy in anticipation of the dedication, once it had completed all their other tract obligations.

However, the new La Viña Homeowners Association has since posted "no trespassing" signs, apparently taking the position that the trail and open space are completely closed to the public.

The Los Angeles County Board of Supervisors, on motion by Supervisor Antonovich on November 9, 2004, instructed County Counsel to initiate legal proceedings against the homeowners association, in order to "secure the dedication of the trail easements and the construction of the trails consistent with the La Viña entitlements."

Staff recommends that the Conservancy reaffirm its acceptance and longstanding expectation, commitment, and interest in preservation of the open space and trail associated with the project.